

EXHIBIT “A”

**IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA**

KAREN TAYLOR,

*

*

Plaintiff,

*

*

vs.

*

CIVIL ACTION FILE NO.:

*

FAMILY DOLLAR, INC.,

*

JURY TRIAL DEMAND

*

Defendant.

*

*

COMPLAINT FOR DAMAGES

COMES NOW, **KAREN TAYLOR** (hereinafter referred to as "Plaintiff"), Plaintiff in the above-styled Civil Action, and files his Complaint for tort and related matters against the Defendant, **FAMILY DOLLAR, INC.** (hereinafter referred to as "Defendant") and for cause shows the following:

PARTIES AND JURISDICTION

1.

The Plaintiff is a citizen and resident of the State of Georgia.

2.

The incident from which this action arises occurred on or about December 7, 2019, at Family Dollar Store, located at 2415 DeKalb Medical Pkwy, Decatur, GA 30058.

3.

Defendant is a domestic corporation doing business in the State of Georgia, and with its registered agent located at Prentice-Hall Corp System, Inc, 100 Peachtree St, Atlanta, GA, 30303 (Fulton County).

4.

Jurisdiction and venue are proper before this Court.

STATEMENT OF FACTS

5.

Plaintiff hereby repleads and reincorporates her allegations contained in Paragraphs 1 through 5 above as if alleged herein.

6.

On or about December 7, 2019, Plaintiff was a patron of Family Dollar Store in Decatur, GA. Plaintiff was walking to retrieve a shopping cart when she tripped and fell into a pothole. Plaintiff had to be transported to the hospital via ambulance due to her injuries.

7.

Plaintiff was injured as a result of her fall caused by Defendant's failure to exercise ordinary care and negligent care of the premises.

COUNT I
FAILURE TO EXERCISE ORDINARY CARE

8.

Plaintiff hereby repleads and reincorporates her allegations contained in Paragraphs 1 through 7 above as if alleged herein.

9.

Defendant failed to exercise the diligence toward making the premises safe that a good businessperson is accustomed to use in such matters and violated statutory provisions; including but not limited to: O.C.G.A. § 51-3-1.

10.

Defendant failed on their duty to inspect the premises and "to discover possible dangerous conditions of which the owner/occupier does not have actual knowledge and taking reasonable precautions to protect invitees from dangers foreseeable from the arrangement or use of the premises." *Robinson v. Kroger*, 268 Ga. 735 (1997).

11.

As the direct and proximate result of the Defendant failure to exercise ordinary care, Plaintiff suffered personal injuries.

12.

Plaintiff has incurred medical expenses for the treatment of those injuries, including but not limited to surgery.

13.

Plaintiff has and continues to endure physical pain and suffering as a result of her injuries.

COUNT II
NEGLIGENCE

14.

Plaintiff incorporates the allegations contained in paragraphs 1 through 13 as if set forth fully herein.

15.

The aforesaid incident occurred as a result of and was proximately caused by the careless, negligent, grossly careless, and reckless conduct of the Defendant.

16.

Defendant failed to properly supervise the areas in question and to have a safe area for its patrons.

17.

As the direct and proximate result of the negligence per se of the Defendant, Plaintiff suffered personal injuries including but not limited to traumatic injuries.

18.

Plaintiff has incurred medical expenses for the treatment of her injuries.

19.

Plaintiff has suffered and continue to endure physical pain and suffering as a result of her injuries.

DAMAGES

20.

Plaintiff hereby repleads and reincorporates her allegations contained in Paragraphs 1 through 19 above as if alleged herein.

21.

Plaintiff is entitled to recover damages from Defendant for the care and treatment of her injuries including past, present, and future medical expenses; past, present, and future mental and physical pain and suffering; lost wages; past and future economic losses; and such other relief as this Court deems just and proper.

TRIAL BY JURY

The Plaintiff demand a trial by jury as provided by law.

WHEREFORE, Plaintiff prays for a judgment against the Defendant for general and special damages as described above, together with any further relief this Court deems just and proper.

This 7th day of December, 2021.

DURHAM LAW GROUP, P.C.

/s/ Bryce V. Durham

Bryce V. Durham

Georgia Bar No.: 101054

Attorney for the Plaintiff

191 Peachtree Street, N.E.
Suite 805
Atlanta, Ga 30303
Phone: (404) 845-3434
Fax: (404) 419-7838

GEORGIA, FULTON COUNTY

DO NOT WRITE IN THIS SPACE

Christopher G. Scott, Clerk

Civil Division

STATE COURT OF FULTON COUNTY
Civil Division

CIVIL ACTION FILE #: _____

KAREN TAYLOR

191 Peachtree Street, N.E. Suite 805 Atlanta, Ga 30303

Plaintiff's Name, Address, City, State, Zip Code

vs.

FAMILY DOLLAR, INC.,

Prentice-Hall Corp System, Inc, 100 Peachtree St,
Atlanta, GA, 30303 (Fulton County)

Defendant's Name, Address, City, State, Zip Code

TYPE OF SUIT	AMOUNT OF SUIT
<input type="checkbox"/> ACCOUNT	PRINCIPAL \$ _____
<input type="checkbox"/> CONTRACT	
<input type="checkbox"/> NOTE	INTEREST \$ _____
<input type="checkbox"/> TORT	
<input checked="" type="checkbox"/> PERSONAL INJURY	ATTY. FEES \$ _____
<input type="checkbox"/> FOREIGN JUDGMENT	
<input type="checkbox"/> TROVER	COURT COST \$ _____
<input type="checkbox"/> SPECIAL LIEN	

<input type="checkbox"/> NEW FILING	
<input type="checkbox"/> RE-FILING: PREVIOUS CASE NO. _____	

SUMMONS

TO THE ABOVE NAMED-DEFENDANT:

You are hereby required to file with the Clerk of said court and to serve a copy on the Plaintiff's Attorney, or on Plaintiff if no Attorney, to-wit:

Name: Bryce V. DurhamAddress: 191 Peachtree Street, N.E. Suite 805City, State, Zip Code: Atlanta, Ga 30303Phone No.: (404) 845-3434

An answer to this complaint, which is herewith served upon you, must be filed within thirty (30) days after service, not counting the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint, plus cost of this action. **DEFENSES MAY BE MADE & JURY TRIAL DEMANDED**, via electronic filing or, if desired, at the e-filing public access terminal in the Self-Help Center at 185 Central Ave., S.W., Ground Floor, Room TG300, Atlanta, GA 30303.

Christopher G. Scott, Chief Clerk (electronic signature)

SERVICE INFORMATION:

Served, this _____ day of _____, 20_____.

DEPUTY MARSHAL, STATE COURT OF FULTON COUNTY

WRITE VERDICT HERE:

We, the jury, find for _____

This _____ day of _____, 20_____, _____ Foreperson

(STAPLE TO FRONT OF COMPLAINT)

General Civil and Domestic Relations Case Filing Information Form

☐ Superior or ☒ State Court of FULTON County

For Clerk Use Only

Date Filed _____
 MM-DD-YYYY

Case Number _____

Plaintiff(s)

TAYLOR, KAREN

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Defendant(s)

FAMILY DOLLAR, INC.,

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Plaintiff's Attorney Bryce V. Durham State Bar Number 101054 Self-Represented ☐

Check one case type and one sub-type in the same box (if a sub-type applies):

General Civil Cases

- ☐ Automobile Tort
☐ Civil Appeal
☐ Contempt/Modification/Other Post-Judgment
☐ Contract
☐ Garnishment
☒ General Tort
☐ Habeas Corpus
☐ Injunction/Mandamus/Other Writ
☐ Landlord/Tenant
☐ Medical Malpractice Tort
☐ Product Liability Tort
☐ Real Property
☐ Restraining Petition
☐ Other General Civil

Domestic Relations Cases

- ☐ Adoption
☐ Contempt
☐ Non-payment of child support, medical support, or alimony
☐ Dissolution/Divorce/Separate Maintenance/Alimony
☐ Family Violence Petition
☐ Modification
☐ Custody/Parenting Time/Visitation
☐ Paternity/Legitimation
☐ Support – IV-D
☐ Support – Private (non-IV-D)
☐ Other Domestic Relations

- ☐ Check if the action is related to another action pending or previously pending in this court involving some or all of the same: parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number

Case Number

- ☒ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in OCGA § 9-11-7.1.

- ☐ Is a foreign language or sign-language interpreter needed in this case? If so, provide the language(s) required.

Language(s) Required

- ☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.